

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

This Document Relates to:

Case Nos.:

17-cv-02638 (*Reinker v. 3M Co., et al.*)  
17-cv-02901 (*Moore v. 3M Co., et al.*)  
17-cv-03049 (*Finney v. 3M Co., et al.*)  
17-cv-03255 (*Holmes v. 3M Co., et al.*)  
17-cv-03662 (*Guyton v. 3M Co., et al.*)  
17-cv-04429 (*Holcomb v. 3M Co., et al.*)  
17-cv-04805 (*Beck v. 3M Co., et al.*)  
17-cv-04825 (*Duckworth v. 3M Co., et al.*)  
17-cv-04896 (*Pew v. 3M Co., et al.*)  
17-cv-04880 (*Scott v. 3M Co., et al.*)  
17-cv-04892 (*Thyrion v. 3M Co., et al.*)  
17-cv-04984 (*Cheney v. 3M Co., et al.*)  
17-cv-05199 (*Spry v. 3M Co., et al.*)  
17-cv-05202 (*Reed v. 3M Co., et al.*)  
17-cv-05302 (*Kelley v. 3M Co., et al.*)  
17-cv-05375 (*Lewis v. 3M Co., et al.*)  
17-cv-05469 (*Minnigan-Judd v. 3M Co., et al.*)

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**DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO COMPLY  
WITH PRETRIAL ORDER NO. 14**

Pursuant to the Court's Pretrial Order No. 14 ("PTO 14"), entered September 27, 2016, Defendants 3M Company and Arizant Healthcare, Inc. (collectively, "Defendants") respectfully move the Court to dismiss the following plaintiffs' cases for failure to comply with PTO 14:

<b>Case Number</b>	<b>Plaintiff</b>	<b>Firm Name</b>
0:17-cv-02638-JNE-FLN	Reinker	Kennedy Hodges, L.L.P.
0:17-cv-02901-JNE-FLN	Moore	Kennedy Hodges, L.L.P.
0:17-cv-03049-JNE-FLN	Finney	Brown & Crouppen, P.C.
0:17-cv-03255-JNE-FLN	Holmes	Brown & Crouppen, P.C.
0:17-cv-03662-JNE-FLN	Guyton	Brown & Crouppen, P.C.
0:17-cv-04429-JNE-FLN	Holcomb	DeGaris & Rogers, LLC
0:17-cv-04805-JNE-FLN	Beck	Brown & Crouppen, P.C.
0:17-cv-04825-JNE-FLN	Duckworth	Brown & Crouppen, P.C.
0:17-cv-04896-JNE-FLN	Pew	Kirtland & Packard LLP
0:17-cv-04880-JNE-FLN	Scott	Brown & Crouppen, P.C.
0:17-cv-04892-JNE-FLN	Thyrion	Brown & Crouppen, P.C.
0:17-cv-04984-JNE-FLN	Cheney	Kirtland & Packard LLP
0:17-cv-05199-JNE-FLN	Spry	Pendley, Baudin & Coffin L.L.P.
0:17-cv-05202-JNE-FLN	Reed	Pendley, Baudin & Coffin L.L.P.
0:17-cv-05302-JNE-FLN	Kelley	Kirtland & Packard LLP
0:17-cv-05375-JNE-FLN	Lewis	Davis & Crump, P.C.
0:17-cv-05469-JNE-FLN	Minnigan-Judd	The Law Offices of Travis R. Walker, P.A.

As set forth in Defendants’ Memorandum of Law in Support of Motion to Dismiss for Failure to Comply with Pretrial Order No. 14, there are three (3) categories of cases where plaintiffs have failed to serve a Plaintiff Fact Sheet (“PFS”) compliant with the requirements set forth by the Court in PTO 14: (a) cases where no PFS has been served by plaintiff; (b) cases where plaintiff served a PFS with core deficiencies, and failed to cure them or otherwise respond to Defendants’ first and/or second deficiency letter; and (c) cases where plaintiff served a PFS with core deficiencies, and failed to cure them after

Defendants' third deficiency letter. Defendants placed the above cases on the agenda for two sequential Court status conferences. Dismissal of these cases with prejudice is therefore appropriate under PTO 14, ¶ 8, and Defendants respectfully request the Court grant their motion regarding same.

Dated: June 7, 2018

Respectfully submitted,

s/Benjamin W. Hulse

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